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**APR 06 2005**

In re Application of  
Kenneth N. Bates  
Application No. 09/628,942  
Filed: July 28, 2000  
Title of Invention:  
ACOUSTIC WAVE IMAGING  
APPARATUS AND IMAGING

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**OFFICE OF PETITIONS**

ON PETITION

This is a decision on the Renewed Petition to Revive Under 37 CFR 1.137(b), filed March 31, 2004. The delay in treating this petition is regretted.

The petition is **GRANTED**.

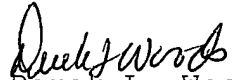
Background

The application became abandoned for failure to timely and properly reply to the final Office action, mailed October 2, 2002, which set a shortened statutory period of three months for reply. Applicant filed an amendment in response to the final Office action on December 30, 2002. That response, however, was deemed not to place the application in condition for allowance. Applicant was so advised in an Advisory Action, mailed January 6, 2003. Applicant filed a Request for Reconsideration, along with a Request for a one (1) month extension of time to reply to the final Office action. In response to the Request for Reconsideration, a second Advisory Action was mailed on February 26, 2003. That Advisory Action informed Applicant that claims 24 - 28 were allowed, but the amendment was not in compliance with 37 CFR 1.173(c). Applicant filed a response to the February 26, 2003 Advisory Action; however, that response failed to place the application in condition for allowance because Applicant still had not complied with 37 CFR 1.173. Applicant was so notified in a third Advisory Action, mailed April 16, 2003. The application became abandoned on April 3, 2003. A Notice of Abandonment was mailed May 5, 2003.

With the instant petition, Applicant has revived the application. The Amendment, filed April 28, 2003, places the application in condition for allowance.

This application is being referred to Technology Center 3643 for processing of the Amendment in due course.

Telephone inquiries related to this decision may be directed to the undersigned at (571) 272-3232.



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Office of Petitions